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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

JOAN G. LOZOYA, Plaintiff, v. ERIC J. ANDERSON, M.D.; LINDSY BLAKE, M.D.; HOSPITAL CORPORATION OF AMERICA, INC.; MOUNTAIN VIEW HOSPITAL; FREEMONT EMERGENCY SERVICE, INC.; ALEXANDRA E. PAGE, M.D.; KAISER FOUNDATION HEALTH PLAN, INC.; KAISER PERMANENTE and DOES 1 through 30, inclusive, Defendants.	CASE NO. 07CV-2148IEG (WMC) **STIPULATION RE: DISMISSAL OF EMTALA CLAIM AGAINST DEFENDANTS ERIC ANDERSON, M.D. AND FREMONT EMERGENCY SERVICES, INC.** Complaint Filed: 11/08/2007

IT IS HEREBY STIPULATED by and among Plaintiff Joan G. Lozoya, by and through her counsel of record, Frank J. Lozoya of the Law Offices of Lozoya & Lozoya, and Defendants Eric Anderson, M.D. and Fremont Emergency Services, Inc., by and through their counsel of record, Yuk K. Law of Law + Brandmeyer LLP, that Plaintiff's First Cause of Action for a violation of 42 U.S.C. § 1395dd *et al,* the Emergency Medical Treatment and Active Labor Act (EMTALA), in her First Amended Complaint be dismissed with prejudice as to Defendants Eric Anderson, M.D. and Fremont Emergency Services, Inc.

///

DATED: May 20, 2008

LAW OFFICES OF LOZOYA & LOZOYA

By____________________
FRANK J. LOZOYA, IV, ESQ.
Counsel for Plaintiff
fj.lozoya@lozoyalaw.com
JOAN G. LOZOYA

DATED: May 20, 2008

LAW + BRANDMEYER, LLP

By s/ Yuk K. Law
YUK K. LAW, ESQ.
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ylaw@lawbrandmeyer.com
ERIC ANDERSON, M.D. and FREMONT EMERGENCY SERVICES, INC. (erroneously sued and served herein as FREEMONT EMERGENCY SERVICE, INC.)

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 245 S. Los Robles Ave., Suite 600, Pasadena, CA 91101.

On May 19, 2008, I served the foregoing document described as:

STIPULATION RE: DISMISSAL OF EMTALA CLAIM AGAINST DEFENDANTS ERIC ANDERSON, M.D. AND FREMONT EMERGENCY SERVICES, INC.

on interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED MAILING LIST

[X] (BY MAIL)
[ ] I deposited such envelope in the mail at Pasadena, California. The envelope was mailed with postage thereon fully prepaid.
[X] As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Pasadena, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
Executed on May 19, 2008, at Pasadena, California.

[X] (BY ELECTRONIC SERVICE)
[X] I served by electronic service a true copy of the above-described document. I am "readily familiar" with this firm's practice of processing correspondence by electronic service. Under that practice documents are submitted via electronic mail to each party and received simultaneously at their destination. Once the document has been transmitted, the electronic mail inbox provides a record indicating time of completion.
Executed on May 19, 2008 at Pasadena, California.

[ ] (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.
Executed on ??, at Pasadena, California.

[ ] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

[X] (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Michelle Quiroz

SERVICE LIST

Re: Joan G. Lozoya v. Eric J. Anderson, M.D., et al.
Case No.: 07CV-2148IEG (WMC)

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